

ORDINANCE NO. 2000-01-CM

AN ORDINANCE AMENDING CHAPTERS 1, 2,3,4,5 and 6

OF ORDINANCE NO. 97-51-CM

BEING THE UNIFIED ZONING ORDINANCE

OF TIPPECANOE COUNTY.

Be it ordained by the County Commissioners of Tippecanoe County, Indiana, that Ordinance No. **97-51-CM**, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

Section 1: Change **3-2-1**, RESIDENTIAL USES, of **3-2**, PERMITTED USE TABLE, of **CHAPTER 3**, PERMITTED USE TABLE, by inserting 4-11-1 under Special Conditions for "single-family dwelling," "manufactured housing," "zero-lot-line dwelling," "two-family dwelling" and "shared housing".

Section 2: Change **4-11-1** (RESERVED), of **4-11** MISCELLANEOUS RESTRICTIONS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, by reactivating it to read:

4-11-1 MINIMUM FLOOR AREA FOR RESIDENTIAL USES:

Single-family dwellings shall have a floor area that exceeds 750 sq.ft. **Dwelling units** in **two-family dwellings** shall have a floor area that exceeds 600 sq.ft.

Section 3: Change **1-10-2**, WORDS AND TERMS DEFINED, of **1-10**, DEFINITIONS, of **CHAPTER 1**, GENERAL PROVISIONS, by modifying subsections (1) and (5) of the definition of **MANUFACTURED HOME**, and adding a sentence after (5), to read as follows:

- (1) shall have been constructed after January 1, 1981, and shall exceed 750 sq.ft. of occupied space;
- (5) consists of 2 or more sections which, when joined, have a minimum dimension of 23' in both length and width.

A **single-family dwelling unit** designed and built in a factory and installed as a permanent **residence**, which fails to meet any of the above criteria, shall be defined here as a **MOBILE HOME**, even if called a "manufactured home" in the trade.

Section 4: Change subsections (d) and (e) of **5-4-6**, MHP/MHC DESIGN REQUIREMENTS, of **5-4**, MOBILE HOME PARKS / MANUFACTURED HOME COMMUNITIES AND RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS, of **CHAPTER 5**, SUPPLEMENTARY REGULATIONS, to read as follows:

5-4-6 MHP/MHC DESIGN REQUIREMENTS

- (d) Minimum parking - 2 paved **parking spaces**, in a garage or not, per **MHP/MHC-lot**, either on the **lot** or within 300' of the **lot** being served, meeting the standards of 4-6-15 above; on-street **parking spaces** may be substituted if an 8' paved parking lane is provided, in addition to the minimum **street** width requirement
- (e) Minimum storage - 120 sq.ft. per **MH** in a separate **building**, such as a shed, and/or storage under each **MH** secured and shielded from view

Section 5: Change subsection (b)(2) of **5-1-7**, NONCONFORMING SIGNAGE, of **5-1**, NONCONFORMING USES, ETC., of **CHAPTER 5**, SUPPLEMENTARY REGULATIONS, to read as follows:

- (b) Otherwise lawful **signage** made **nonconforming** by this ordinance or an amendment to it, may be continued so long as it remains otherwise lawful, if:
 - (2) the **signage** is moved neither in whole nor in part to any portion of its **sign-lot** other than that which it occupied at the time this ordinance or its amendment became effective, or to a location that lessens the nonconformity; and

Section 6: Change **2-14**, OR: OFFICE / RESEARCH ZONES, of **CHAPTER 2**, ZONE REGULATIONS, by deleting the 2 extraneous subsections that immediately follow **2-14-11**.

Section 7: Change **2-27**, PD: PLANNED DEVELOPMENT ZONES, of **CHAPTER 2**, ZONE REGULATIONS, by revising these subsections to read as follows:

2-27-4 PRE-SUBMISSION CONFERENCE:

- (b) Before submitting any of the materials required for a rezoning request to either PDRS, PDNR or PDMX, the petitioner shall arrange a meeting with staff and the appropriate **Administrative Officer**, and if outside the corporate limits of Lafayette

and West Lafayette, the County Surveyor and Highway Executive Director, or their designees.

2-27-4 PRE-SUBMISSION CONFERENCE:

- (d) Discussion at this meeting shall include:
 - (2) the petitioner's intentions and objectives regarding land *use*, *street* improvements, utilities, the interrelationship of these aspects, and similar matters;

2-27-5 FILING REQUIREMENTS FOR A PD REZONING REQUEST WITH DRAFT PLAN:

- (c) Checkpoint agencies to be provided with sets of plans and other documents will have been determined at the pre-submission meeting. They include those agencies having jurisdiction in areas potentially affected by the petitioner's proposed *development*. The list may be drawn from the agencies listed in 2-27-5-c-1 on the following page. For a PDCC rezoning, upon request of the petitioner, the staff will provide a list of checkpoint agencies to be provided with sets of plans and documents.

2-27-10 APPROVAL OF FINAL DETAILED PLANS FOR PDRS, PDNR AND PDMX ZONES:

- (a) Following rezoning to PDRS, PDNR or PDMX, the petitioner may file Final Detailed Plans. The petitioner can neither seek *improvement location permits* nor begin any *development* (including any earth moving) activity until the Commission approves these Final Detailed Plans and the petitioner records them. To be complete, Final Detailed Plans shall have already been approved and signed by the appropriate *Administrative Officer*, any applicable sanitary sewer and water provider, public or private; and if outside the Cities of Lafayette and West Lafayette, the Director of the County Highway Department, and the County Surveyor on behalf of the County Drainage Board. Final Detailed Plans may be submitted for the entire project or any part of it.

2-27-10 APPROVAL OF FINAL DETAILED PLANS FOR PDRS, PDNR AND PDMX ZONES:

- (c) If public improvements or improvements for common usage are to be installed by the petitioner, he or she shall either:
 - (3) ask the Commission's approval at the time the *plat* is approved (whether submitted with construction plans or at a later time), to post bond for these improvements, or submit a certified check, or irrevocable letter of credit or certificate of deposit, as per Appendix B-4 below. No *improvement location permit* shall be issued until surety has been provided.

2-27-12 AMENDING RECORDED FINAL DETAILED PLANS:

- (a) A property owner may wish to make changes to a PDRS, PDNR or PDMX project after Final Detailed Plans have been recorded. If these changes are determined to conform to the Approved Preliminary Planned Development as adopted by the legislative body, and to constitute a minor modification only, then the changes shall be recorded as an Amended Final Detailed Plan, as per 2-27-11 above.
- (2) A minor modification cannot include: any increase in residential *density*, any decrease in residential *density* of 10% or more; any change in *building* dimension or location other than within the defined building envelope; any change in landscaping other than substitution of species or redesign with the same materials; any alteration in the size and/or location of signage; any change in type of land *use*; any change in the alignment or intersection of *streets*; or any change in restrictive covenants, or horizontal property ownership and owners' association documents regarding these items.

Section 8: Change **6-4-4**, SPECIAL EXCEPTIONS, of **6-4**, BOARDS OF ZONING APPEALS, of **CHAPTER 6**, ADMINISTRATION, by adding a new sentence at the end of subsection (h) to read as follows:

6-4-4 SPECIAL EXCEPTIONS:

- (h) A *use* authorized by *special exception* shall not be expanded, extended, *enlarged*, or moved unless reauthorized by the *ABZA* under the procedures established in this ordinance for granting a *special exception*. However, additional *buildings* and phases shall be permitted without reauthorization, if they were indicated on the original *site plan*, and the *use* itself is established within 1 year of *ABZA*'s grant of *special exception*.

Section 9: Change incorrect citations of Indiana Code, appearing in subsections (e) of **6-4-4**, SPECIAL EXCEPTIONS, (b)(1) of **6-4-5**, VARIANCES, and (c) of **6-4-6**, APPEALS, of **6-4**, BOARDS OF ZONING APPEALS, of **CHAPTER 6**, ADMINISTRATION, to read as follows:

6-4-4-e: I.C. 36-7-4-921

6-4-5-b-1: I.C. 36-7-4-916 and 918.3

6-4-6-c: I.C. 36-7-4-1000 through 1020

Section 10: This ordinance shall be in full force and effect from and after the date of passage.

**ADOPTED AND PASSED BY THE BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA
THIS 3rd DAY OF JANUARY, 2000**

THE BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

President

Vice President

Member

ATTEST:

Robert A. Plantenga, Auditor